

EXHIBIT A

JOHN MARTINI,

Plaintiff,

- against -

CITY OF NEW YORK, et al.,

Defendants.

JAMES C. FRANCIS IV
 UNITED STATES MAGISTRATE JUDGE

: 05 Civ. 9881 (RJS) (JCF)

O R D E R

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>3/19/08</u>

Defendants having applied by letter dated January 22, 2008 for an order dismissing plaintiff's emotional distress claims and compelling discovery, it is hereby ORDERED as follows:

1. Plaintiff's emotional distress claims are dismissed. The legal arguments he advances for declining to execute releases for mental health records were previously rejected in several RNC cases. It is too late in the day for plaintiff to seek additional time for compliance. This determination renders moot defendants' request that the emotional distress claims be dismissed due to plaintiff's failure to provide releases for certain arrest records.

2. Within ten days of the date of this Order, plaintiff shall produce all photographs of protests in the vicinity of the World Trade Center on August 31, 2004.

SO ORDERED.


 JAMES C. FRANCIS IV
 UNITED STATES MAGISTRATE JUDGE

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Dated: New York, New York
March 19, 2008

Copies mailed this date:

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